

United States District Court
District of Minnesota

Mahmood Khan,

Civil Case No. 16cv3104 PJS/DTS

Plaintiff,

v.

**MOTION FOR TEMPORARY
RESTRAINING ORDER**

City of Minneapolis *et al.*,

Defendants.

To: Defendant City of Minneapolis and its attorney Susan L. Segal,
Minneapolis City Attorney, City Hall, Room 210, 350 South Fifth Street,
Minneapolis MN 55415:

Plaintiff hereby moves the United States District Court, District of
Minnesota, for an Order to:

1. Temporarily restrain and enjoin the defendant, as to rental housing
licenses issued by the defendant to the plaintiff that were in force and
good standing as of February 12, 2015, from taking any adverse action
respecting said licenses based either on:

(a) the Minneapolis City Council Action approved on January 16,
2015 revoking all of said licenses;

(b) under Minneapolis Code of Ordinances ("MCO") Section
144.1910 (a)(13)(a), the fact of the revocation by the defendant,
prior to February 12, 2015, of licenses for two rental properties
issued by the defendant to the plaintiff ; or

(c) under Minneapolis Code of Ordinances ("MCO") Section
144.1910 (a)(19), any other claimed " good cause"

until such time as the defendant has afforded the plaintiff an appeal hearing, pursuant to MCO sections 244.1960 and 2.100, at which hearing the plaintiff will have the opportunity to raise, present relevant evidence (by subpoena, if necessary), have a decision or recommended decision on the merits made, and pursue available state court appellate review from any decision adverse to the plaintiff, as to the following defenses asserted by the plaintiff to the defendant's proposed revocation of all of plaintiff's rental housing licenses:

- (a) that said revocation of all of plaintiff's rental housing license, in the plaintiff's circumstances and the circumstances of the tenants residing in plaintiff's licensed rental premises, would be unlawful rental housing discrimination, under the U.S. Fair Housing Act (42 U.S.C. §§ 3601 *et seq.*);
- (b) that said revocation of all of plaintiff's rental housing license, in the plaintiff's circumstances and the circumstances of the tenants residing in plaintiff's licensed rental premises, would be unlawful rental housing discrimination, under the Minnesota Human Rights Act (Minn. Stat. §363A.01 *et seq.*);
- (c) that said revocation of all of plaintiff's rental housing license, in the plaintiff's circumstances and the circumstances of the tenants residing in plaintiff's licensed rental premises, would be a violation of the defendant's duty, voluntarily undertaken as a condition or receiving Community Development Block Grants from the U.S. Department of Housing and Urban Development, to "affirmatively further fair housing."

2. Ordering the defendant to promptly rescind by any available practical means any notice of revocation, posting of rental premises or other adverse action the defendant may have taken respecting the revocation of all of the plaintiff's rental licenses prior to the court's issuance of its Temporary Restraining Order herein.
3. Setting a date and time for a hearing on a motion by plaintiff for a preliminary injunction extending the duration of the relief requested herein by the plaintiff.

Said motion is made pursuant to Rule 65 of the Federal Rules of Civil Procedure upon all of the file and proceedings herein and upon the Affidavits and Plaintiff's Memorandum of Law served and filed herewith.

Dated: June 15, 2017

s/ Edward F. Rooney
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